

26 November 2014

COPY

Chief Justice

It is usual at a December meeting of Judges each year to appoint Judges to the Court of Disputed Returns, it is usually the next two Judges in order of seniority per the following suggested agenda item:

"Appointments to the Court of Disputed Returns

Court of Disputed Returns (composition not publicized)

s. 127 Electoral Act.

Judges decided November 1995 to select two Judges each calendar year. The two most senior Judges who have not recently heard a case in this Court should be listed Judges.

Senior Judge of the two will have the primary responsibility to sit

Appointments necessary for 2015: presently P Lyons J and A Wilson J.
Next in seniority Boddice J and Dalton J"

Also the Judges' Committee is sometimes an agenda item in December, but that may not be necessary as Gotterson JA and Philippides J are recent appointments – see attached extract from document "Judges on Board and Tribunals.

I wonder if you wish to place the item/s on the Trial Division Judges' meeting agenda? Or whether you wish to seek Judges' agreement by email?

Thank you
Marie

Marie

✓
Thanks,
2

8:17

SPECIAL JURISDICTION	PRESENT AND PAST NOMINEES	TERM	MODE OF APPOINTMENT	VACANCY/ACTING
Judges' Committee Action: December Agenda item	2002 Davies JA Holmes J 2003, 2004 Ferrard JA Muir J 2005, 2006, 2007, 2008, 2009, 2010 Keane JA Chesterman J 2010, 2011, 2012 Chesterman JA and Applegarth J 2012, 2013 Holmes JA and Applegarth J 2014 Gotterson JA Philippides J	2 years finite	Agenda item for December Judges' meeting.	

Chief Justice Carmody

From: Justice MAMcMurdo
Sent: Wednesday, 3 December 2014 5:37 PM
To: Justice Byrne; Chief Justice Carmody
Cc: Marie Bergwever; Justice Dalton; Justice Boddice
Subject: RE: Court of Disputed Returns

The Court of Appeal judges are also happy with that course, Tim.
Margaret

-----Original Message-----

From: Justice Byrne
Sent: Wednesday, 3 December 2014 4:40 PM
To: Chief Justice Carmody
Cc: Marie Bergwever; Justice MAMcMurdo; Justice Dalton; Justice Boddice
Subject: Court of Disputed Returns

Tim,

At the meeting of the Trial Division on 3 December, it was proposed that the two judges who might be nominated pursuant to s.137(3) of the Electoral Act 1992 to constitute the Court of Disputed Returns for 2015 are Boddice J and Dalton J, with Boddice J having primary responsibility to sit and Dalton J to sit if Boddice J cannot.

John

Justice John H Byrne AO RFD
Senior Judge Administrator
Supreme Court of Queensland
PO Box 15167
City East Qld 4002
Ph (07) 3247 4282
Fx (07) 3224 4217



COURT OF APPEAL

Minutes of Meeting

Of the Judges of the Court of Appeal, Supreme Court of Queensland
Held on Wednesday, 3 December 2014 at 9.00am
in the Court of Appeal Conference Room

Present: The President
Holmes JA
Muir JA
Fraser JA
Gotterson JA
Morrison JA

s.73(2) not relevant

s.73(2) not relevant

s.73(2) not relevant

s.73(2) not relevant

10. **Appointment to Court of Disputed Returns. Memo to Chief Justice from his Executive Assistant.**

Noted.

s.73(2) not relevant

s.73(2) not relevant

From: Diane Antonsen

Sent: Wednesday, 4 February 2015 12:57 PM

To: DL-Sup & Dist Crts Client Relations Team; DL-Sup & Dist Crts Civil Jurisdiction; Sharyn Phillips; Robyn Wegner; Mark Koczan

Cc: Law Courts Security; Micheal Reeves; Julie Steel

Subject: FW: Court of Disputed Returns

Hi everyone

Please take the time to read the attached memo from Justice Boddice, outlining the process he has requested be used for any Court of Disputed Return matters.

If you have any questions, please don't hesitate to see me.

Cheers

Di

Di Antonsen

Deputy Principal Registrar and Sheriff of Queensland
Supreme, District & Land Courts Service
Queensland Courts Service

From: Helen Phimister

Sent: Wednesday, 4 February 2015 12:46 PM

To: Diane Antonsen

Subject: Court of Disputed Returns

Dear Di,

Please see the attached memo from Justice Boddice.

Kind regards

Helen Phimister

Executive Secretary to the

Honourable Justice D Boddice

Supreme Court of Queensland

415 George Street, Brisbane

Ph: (07) 3006 9097 Fax: (07) 3229 9568

Email: Helen.Phimister@justice.qld.gov.au

Justice Boddice

From: Justice Byrne
Sent: Monday, 2 February 2015 9:28 AM
To: Justice Boddice
Cc: Justice Dalton
Subject: FW: Court of Disputed Returns

-----Original Message-----

From: Justice Byrne
Sent: Wednesday, 3 December 2014 4:40 PM
To: Chief Justice Carmody
Cc: Marie Bergwever; Justice MAMcMurdo; Justice Dalton; Justice Boddice
Subject: Court of Disputed Returns

Tim,

At the meeting of the Trial Division on 3 December, it was proposed that the two judges who might be nominated pursuant to s.137(3) of the Electoral Act 1992 to constitute the Court of Disputed Returns for 2015 are Boddice J and Dalton J, with Boddice J having primary responsibility to sit and Dalton J to sit if Boddice J cannot.

John

Justice John H Byrne AO RFD
Senior Judge Administrator
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**CONFIDENTIAL TO THE JUDGES
MINUTES OF TRIAL DIVISION JUDGES' MEETING**

3 December 2014

Item 1 – Apologies

s.73(1) not relevant

s.73(1) not relevant

Item 8 – Court of Disputed Returns – appointments for 2015

Boddice J and Dalton J are proposed for the Court of Disputed Returns next year.

SPECIAL JURISDICTION	PRESENT AND PAST NOMINEES	TERM	MODE OF APPOINTMENT	VACANCY/ACTING
<p>Court of Disputed Returns F63 Action: Agenda Item each December</p>	<p>1996 Moynihan and Shepherdson JJ 1997 Williams and Derrington JJ 1998 de Jersey and Byrne JJ Byrne and Dowsett JJ (or Mackenzie J in absence of Dowsett J – result of de Jersey J being appointed CJ – 1998) 1999 Byrne (or White J) 2000 Fryberg and Helman JJ 2001 Muir and Chesterman JJ 2002 Wilson and Atkinson JJ 2003 Holmes & Philippides JJ 2004 McMurdo & Douglas JJ 2005 Moynihan SJA and Mackenzie J 2006 Byrne J and White J 2007 Fryberg J and Helman J 2007 (30 June) Fryberg J and Muir J (from Nov 07) Fryberg J and Chesterman J 2008 Chesterman J Wilson J</p>	<p>One year 2009 Atkinson J Dutney J 2010 Mullins J Philippides J 2011 P D McMurdo J Douglas J and A Lyons J (carry out the role when Douglas J is away in 2011) 2012 A Lyons J Daubney J 2013 Martin J Applegarth J 2014 P Lyons J Alan Wilson J 2015 Bodlice J Dalton J</p>	<p><i>s. 127 Electoral Act</i> Judges decided Nov. 1995 to select 2 Judges each calendar year. The 2 most senior Judges who have not recently heard a case in this Court should be listed Judges. Senior Judge of the two will have the primary responsibility to sit.</p>	

Chief Justice Carmody

From: Justice Byrne
Sent: Wednesday, 11 February 2015 8:47 AM
To: Justice Boddice; Justice Dalton
Cc: Justice MAMcMurdo; Chief Justice Carmody
Subject: Supreme Court "Statement"?

David, Jean,

The Australian carries a report today that includes:

"A statement from the Supreme Court said the "constitution of the Court of Disputed Returns is a matter for the Chief Justice under the Electoral Act. He will consider the issue if and when it arises".

I know nothing of any such statement.

John

Justice John H Byrne AO RFD
Senior Judge Administrator
Supreme Court of Queensland
PO Box 15167
City East Qld 4002
Ph (07) 3247 4282
Fx (07) 3224 4217

Chief Justice Carmody

From: Justice Atkinson
Sent: Friday, 20 February 2015 1:02 PM
To: Justice Jackson; Chief Justice Carmody; Justice A Lyons; Justice Alan Wilson; Justice Applegarth; Justice Boddice; Justice Burns; Justice Byrne; Justice Dalton; Justice Daubney; Justice Douglas; Justice Flanagan; Justice Martin; Justice Mullins; Justice PDMcMurdo; Justice PLYons; Justice Thomas; Justice Henry; Justice McMeekin; Justice North
Cc: Justice MAMcMurdo
Subject: FW:
Attachments: 20150220104900765.pdf

Dear Chief Justice and Judges

I attach a memo sent to Jackson J and me as a result of our giving the resolutions passed at our meeting yesterday to the Chief Justice.

Regards

Roslyn

The Hon Justice Roslyn Atkinson AO
Supreme Court of Queensland
415 George Street
Brisbane.
PO Box 15167
City East 4002
Queensland
Australia.
Phone: 07 3406 2122
Facsimile: 07 3229 9568
Email: justice.atkinson@courts.qld.gov.au

-----Original Message-----

From: ricoh@justice.qld.gov.au [mailto:ricoh@justice.qld.gov.au]
Sent: Friday, 20 February 2015 10:49 AM
To: Justice Atkinson
Subject:

This E-mail was sent from "JP40914" (Aficio MP 5001).

Scan Date: 20.02.2015 10:49:00 (+1000)
Queries to: ricoh@justice.qld.gov.au

Chief Justice Carmody

From: Justice Atkinson
Sent: Tuesday, 24 February 2015 11:31 AM
To: DL-Supreme Court Judges
Subject: Reply to memo by Chief Justice
Attachments: Memo to CJ from Atkinson and Jackson JJ dated 23 Feb 2015.doc

Dear colleagues

For the sake of completeness I enclose a copy of the memo sent by Jackson and I to the Chief Justice yesterday in reply to his memo to us of 20 February 2015.

Regards

Roslyn

The Hon Justice Roslyn Atkinson AO
Supreme Court of Queensland
415 George Street
Brisbane.
PO Box 15167
City East 4002
Queensland
Australia.
Phone: 07 3406 2122
Facsimile: 07 3229 9568
Email: justice.atkinson@courts.qld.gov.au

Chief Justice Carmody

From: Justice Atkinson
Sent: Monday, 23 February 2015 4:31 PM
To: DL-Supreme Court Judges
Subject: FW: Minutes 19 Feb 2015
Attachments: Minutes 19 Feb 2015.doc

I attach minutes of the meeting of the trial division held on 19 February 2015.

Regards

Roslyn

The Hon Justice Roslyn Atkinson AO
Supreme Court of Queensland
415 George Street
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